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QUALIFIED AS EXPERT IN U.S. FEDERAL COURTS

2018 Ragbir v. United States, 17-CV-1256 (KM)

- U.S. District Court, Newark, NJ
- Testified at Evidentiary Hearing
- Consulted by defendant
- Linguistic issue: Was the defendant's putative spontaneously dictated confession an instance of his attested spontaneous speech
- Ongoing

2018 United States of America v. Bakhtiyor Jumaev, Criminal Action No. 12-cr-00033-JLK

- U.S. District Court for the District of Colorado
- Confession to providing support to terrorist activities; "accepted as expert witness in linguistics and language, as well as interpretation and translation"
- Consulted by defendant
- Linguistic issue: Using the U.S. Gov't Interagency Language Roundtable (ILR) scale to assist judge in assessing whether defendant knew English and other languages well enough to understand his interrogation and his putative confession. Adequacy of interpretation. Linguistic pragmatics and cultural concepts such as the concept of "debt" in Islamic societies vs. debt" in non-Islamic American societies.
- Testified at trial
- Convicted

2017 United States of America v. Bakhtiyor Jumaev, Criminal Action No. 12-cr-00033-JLK

- U.S. District Court for the District of Colorado
- Miranda/Confession to providing support to terrorist activities
- Consulted by defendant
- Linguistic issue: Using the U.S. Gov't Interagency Language Roundtable (ILR) scale to assist judge in assessing whether defendant knew English and other languages well enough to understand Miranda warnings; similarly, whether the interpretation attempt in three languages was successful
- Testified at suppression hearing
- Suppression denied

2014 Pods Enterprises, Inc., v. U-Haul International, Inc.,
Case No. 8:12-cv-01479-T-27MAP

- U.S. District Court, Middle District of Florida, Tampa Division
- Trademark
- Consulted by defendant/counterclaim-plaintiff
- Linguistic issue: linguistic significance of trademark; semantics; linguistic pragmatics

- Testified at trial
- Decision for plaintiff

2014 Theranos, Inc. and Elizabeth Holmes v. Fuisz Pharma, John R. Fuisz, Richard C. Fuisz, and Joseph M. Fuisz 11-CV-05236-YGR

- U.S. District Court, Northern District of California, Oakland Division
- Industrial Espionage/Patent Infringement
- Consulted by plaintiffs
- Linguistic issue: whether a patent idea was substantially the same as another's (linguistic pragmatics); was it illegally obtained and plagiaristically copied (authorship)
- Admitted as expert
- Settled during trial just before my testimony

2013 Chevron Corp. v. Donziger, 11-cv-00691

- U.S. District Court, Southern District of NY
- Racketeer Influenced and Corrupt Organizations (RICO) trial
- Consulted by plaintiffs
- Linguistic issue: authorship analysis—whether a judgment was plagiaristically copied from unfiled documents
- Testified at trial
- Decision for plaintiffs; upheld on appeal

2011 National Western Life Insurance Company v. Western National Life Insurance Company and AGC Life Insurance Company Case No. A09CA711 LY

- U.S. District Court, Austin, TX
- Trademark
- Consulted by defendants
- Linguistic issue: trademark confusion
- Admitted as expert
- Settled before trial

2007 United States v. Sohail Chaudhry. Criminal No. 06-771.

- U.S. District Court, Newark, NJ
- Internet sting
- Consulted by defense
- Linguistic issue: age of Instant Messaging interlocutor
- Testified at trial
- Convicted

QUALIFIED AS EXPERT IN STATE COURTS

2019 The State Of South Carolina v. Robert W., McCaffrey, Jr

- Warrant No. 2014a1010900353 OCA #: CCSO 20120045598
- Obstruction of justice in a homicide investigation
- Consulted by prosecution
- Linguistic Issue: authorship of a farewell note purportedly authored by the deceased
- Convicted

2019 State of Oregon v Justin Metschan-Baertlein 18CR31560

- Circuit Court of the State of Oregon for Washington County
- Internet sting
- Consulted by defendant
- Linguistic issue: linguistic pragmatic/semantic analysis of text messages

- Hung jury
- 2017 Rosebank Road Med. Servs. Ltd. [and Dr. Geeta Murali Ganesh] v. Ramji Govindarajan, No. CGC-16-549755
Superior Court of California, County of San Francisco
- Defamation
 - Consulted by plaintiff
 - Linguistic issue: Whether evidence indicated a set of false and disparaging online reviews of the plaintiffs medical practice were authored by the defendant
 - Testified at trial
- 2016 Moore, Lessell Case No.: 07CR366, El Paso County District Court (4th Judicial District court), Colorado Springs, Colorado
- Attempted murder conviction—hearing re competency to stand trial/ capacity to make a knowing and intelligent waiver of the right to testify at his 2008 trial
 - Consulted by defense
 - Linguistic issue: Whether evidence indicated a set of jail kites were authored by the subject (who was therefore competent)
 - Testified at postconviction hearing
 - Court agreed with my findings; on basis of other evidence denied appeal
- 2012 Commonwealth of Pennsylvania v. Brian D. Hummert. 6140 CA 2004
- Murder
 - Consulted by prosecution
 - Linguistic issue: Authorship analysis of “stalker” and “serial killer” letters
 - Testified at trial (Retrial after 2006 verdict overturned)
 - Convicted of 1st Degree Murder
[*Forensic Files* “A Tight Leash” and Investigation Discovery’s *Solved* feature this case and the linguistic testimony.]
- 2011 State of New Jersey v. Eugene Reinsalu File 09002722 Indictment 09-12-02153
- Aggravated Assault and Endangering the Welfare of a Child
 - Consulted by defendant
 - Linguistic issue: Limited English and Miranda, linguistic pragmatic analysis of putative confession
 - Testified at Miranda hearing
 - Miranda upheld
- 2011 State of Illinois v. Christopher E. Coleman. Case No.: 09-CF-50
- 1st Degree Murder
 - Consulted by prosecution
 - Linguistic issue: authorship analysis of threatening messages
 - Testified at separate Frye Hearing – admitted
 - Testified at trial
 - Convicted of 1st Degree Murder, all three counts
- 2011 In re Jarvis Masters habeas corpus California Supreme Court S130 495
People v Masters Superior Court SC 010 467 A
- 1st Degree Murder; Death Penalty
 - Consulted by defense
 - Linguistic issue: authorship analysis of prison kites (authorship)
 - Testified at separate Frye Hearing – admitted
 - Testified at Habeas Corpus hearing – admitted

- Court agreed with his findings; on basis of other evidence denied appeal
- 2011 State of Montana v. Justine Winter. Case No.: DC-09-424 (B)
- Two counts of deliberate homicide
 - Consulted by defendant
 - Linguistic issue: linguistic pragmatic/semantic analysis of text messages -- whether pre-auto crash texts constitute a suicide note or other linguistic event
 - Testified at trial
 - Convicted, both counts
- 2010 State of Montana v. Justine Winter. Case No.: DC-09-424 (B)
- Two counts of deliberate homicide
 - Consulted by defendant
 - Linguistic issue: linguistic pragmatic/semantic analysis of text messages -- whether pre-auto crash texts constitute a suicide note or other linguistic event
 - Testified at Transfer Hearing (Def was 2 months over juvenile)
 - Defendant remained in adult court; subsequently testified at trial
- 2010 State of Indiana v. Ty Evans, Marion Superior Court, Criminal Division II, Cause Number 49G02-0505-FA-082867.
- Post-conviction relief
 - Consulted by plaintiff
 - Linguistic issue: Transcript of undercover recording; linguistic pragmatic analysis of identification of assailant
 - Testified at hearing
 - Ongoing
- 2010 Shelli Rose Dewey v. Sheryl Foster, Warden, Florence McClure Women's Correctional Center; and Howard Skolnik, Director, Nevada Dept. of Corrections CV –HC-08-820
- Attempt to get new trial in murder case
 - Consulted by plaintiff
 - Linguistic issue: linguistic pragmatic analysis of interrogations, putative confession
 - Testified at hearing
 - Ongoing
- 2010 Paglia, Linda et al vs. Haber, RJ. Case No.: 2009CV698 District Court, Larimer County, Colorado
- Contempt of Court stemming from earlier decision
 - Consulted by plaintiff
 - Linguistic issue: Whether evidence indicated authorship of documents incriminating suspect
 - Testified at hearing
 - Guilty of some charges; not guilty of others
- 2010 State of Michigan v. Benjamin Thomas Hauswirth Case: 09-2918-FC
- 6 counts Solicitation of murder; 1 count of Conspiracy
 - Consulted by defendant
 - Linguistic issue: linguistic pragmatic analysis of undercover recordings
 - Testified at trial
 - Convicted of some charges
- 2009 Lisa Lopez-Dusart v. Marriott Ownership Resorts,

Inc., d/b/a Marriott Vacation Club International,
and Stephen P. Weisz No. 05-24730 CA 25.

Circuit court for the eleventh jud. circuit Miami-Dade, Florida

- Employee discrimination
- Consulted by plaintiff
- Linguistic issue: linguistic pragmatic analysis of communications
- Testified at trial
- Found for defendants; on appeal

2009 State of Arizona v. Steven Lynn Rhodes CR2005-112602-001 Defendant.

- Sexual misconduct
- Consulted by defendant
- Linguistic issue: linguistic pragmatic analysis of telephone call, to wit, whether defendant “confessed” during third-party undercover recorded “confrontation call”
- Testified at trial
- Acquitted

2005-2006 Commonwealth of Pennsylvania v. Brian D. Hummert. No. 6140 CA 2004.

- Murder
- Consulted by prosecution
- Linguistic issue: Authorship analysis of “stalker” and “serial killer” letters
- Testified at separate Frye Hearing
- Testified at trial
- Convicted of 1st Degree Murder
[This case and the linguistic testimony is explained in *Forensic Files* “A Tight Leash” and Investigation Discovery’s *Solved*]

2005-2006 People of the State of New York v. Nelson Pardo. Index No. 13/2004.

- Internet sting
- Consulted by defense
- Linguistic issue: authorship of confession; age of Instant Messaging interlocutor. Appointed Forensic Linguist Expert pursuant to County Law, Section 722-C
- Admitted to testify
- Charges reduced; no trial

OTHER STATE COURT TESTIMONY

2016 Ex Parte Rickey Donnell Cummings, Texas Case No. 2011-1513-C1-A

- Capital Murder—Death Sentence
- Consulted by defense (habeas counsel)
- Linguistic issue: Authorship analysis of text messages
- Testified in state post-conviction proceedings (evidentiary hearing)
- Ongoing: Habeas application pending in state court

2015 State of Washington v. Fady Sabry Yakima County Sup. Ct. 13-1-01366-1; 13-1-01396-2

- Sexual misconduct
- Consulted by defendant.
- Linguistic issue: Using the U.S. Gov’t Interagency Language Roundtable (ILR) scale to assist judge in assessing whether defendant knew English well enough to understand Miranda warnings
- Testified at Miranda Hearing
- After this Hearing, State offered reduced charges; no trial

TESTIMONY BEFORE INTERNATIONAL TRIBUNALS

2015 Chevron Corporation (USA) and Texaco Petroleum Company (USA) v. The Republic of Ecuador, UNCITRAL, PCA Case No. 34877

- Contract dispute
- Consulted by plaintiffs
- Linguistic issue: authorship analysis—whether a judgment was plagiaristically copied from unfiled documents
- Testified at Tribunal Hearing
- Venue: Washington, DC
- Decision for plaintiffs

2014 Muhammet Cap & Sehil Insaat Endustri ve Ticaret Ltd. St. v. Turkmenistan, World Bank International Centre for Settlement of Investment Disputes ICSID Case ARB/12/6

- Contract dispute
- Consulted by plaintiffs
- Linguistic issue: Interpretation of English version of Turkey-Turkmenistan bilateral investment treaty (BIT)
- Testified at Tribunal Hearing
- Venue: Paris
- Decision for plaintiffs

DEPOSITIONS

2019 Chicago Mercantile Exchange Inc. v. ICE Clear US, Inc., et al., Civil Action No. 18-cv-01376.

- United States District Court, Northern District of Illinois, Eastern Division
- Consulted by plaintiff
- Linguistic issue: linguistic significance of trademark
- Ongoing

2019 The Reinalt-Thomas Corporation d/b/a/ Discount Tire v. Mavis Tire Supply Civil Action No. 1:18-cv-05877-TCB

- United States District Court, Northern District of Georgia, Atlanta Division
- Consulted by plaintiff
- Linguistic issue: linguistic significance of trademark
- Ongoing

2019 Lodestar Anstalt v. Bacardi & Co. Ltd. et al 2:16-cv-06411-CAS(FFMx)

- United States District Court, Central District of California
- Consulted by plaintiff
- Linguistic issue: linguistic significance of trademark
- Ongoing

2018 New Mexico v. Zachary Kahn 201307-00081

- Internet sting
- Consulted by defendant.
- Testified in Prosecution Interview
- Linguistic issue: linguistic pragmatic analysis of online ads, emails and texts
- Charges dismissed

2018 D. H. Pace Company, Inc., D/B/A Overhead Door Company of Atlanta v. Aaron Overhead Door Atlanta Llc, Jeremy Ryan Lucia, And Stephenie Lucia,

- Civil Action No. 1:17-cv-03430-MHC Trademark
- Consulted by plaintiff
- Linguistic issue: linguistic significance of trademark
- Ongoing

2017 Rosebank and Dr. Geeta Murali Ganesh v. Ramji Govindarajan et al. Case No.: CGC-16-549755

- Superior Court of California, County of San Francisco
- Defamation
- Consulted by plaintiff
- Linguistic issue: Whether evidence indicated a set of false and disparaging online reviews of the plaintiffs medical practice were authored by the defendant
- Testified at trial

2017 Ciner Wyoming v. Rock Springs Royalty Company (Anadarko) Docket No. C-16-77-L

- District Court of the Third Judicial District, Sweetwater County, Wyoming
- Contract dispute
- Consulted by defendant
- Linguistic issue: Meaning of a paragraph in a contract
- Settled

2017 Ioannis Kanellakopoulos v. Unimerica Life Insurance Company Case No. 15-CV-04674-BLF

- United States District Court Northern District of California, San Jose Division
- Contract dispute
- Consulted by plaintiff
- Linguistic issue: Meaning of a contract
- Ongoing

2016 State of Florida v. Kamal Williams Criminal Division Case No F10-21391
Circuit Court 11th Judicial District, Miami Dade County, Florida

- Murder, Solicitation to Murder
- Consulted by defendants
- Linguistic issue: whether prison recordings show def called off the “hit”
- Plea bargained

2016 Geodata Systems Management v. American Pacific Plastic Fabricators, et al, Civil Action No.:1:15-Cv-00276-Lcb-Lpa 4

- United States District Court Central District of California
- Consulted by plaintiff
- Linguistic issue: linguistic significance of trademark
- Settled

2016 Leticia Aguilar et al., v. Avis Rent A Car System, LLC, Avis Budget Group, Inc., The City of Los Angeles; Does 1 to 5, Inclusive
Case No.: BC482101

- Application of Los Angeles City ordinance
- Consulted by defendants
- Linguistic issue: semantic and linguistic pragmatic analysis
- Ongoing

2015 Flowers Bakeries Brands, LLC, v. Earthgrains Baking Companies, Inc. and Bimbo Bakeries USA Civil Action No. 7:13-cv-138(HL)

- Trademark
- Consulted by plaintiff
- Linguistic issue: linguistic significance of trademark
- Settled

2015 Goya Foods, Inc. and Goya de Puerto Rico, Inc., v. Golla Oy, Golla USA, Inc., Best Buy Stores Puerto Rico LLC, Best Buy Stores L.P., and Does 1-4 Case No.:12-cv-1859 (BJM)

- Trademark
- Consulted by plaintiff
- Linguistic issue: linguistic significance of trademark
- Settled

2014 Pods Enterprises, Inc. v. U-Haul International, Inc., Case No: 01479-JDW-MAP 8:12-cv-

- Trademark
- Consulted by defendant/counterclaim-plaintiff
- Linguistic issue: linguistic significance of trademark
- Plaintiff prevailed.

2013 Theranos, Inc. and Elizabeth Holmes,v. Fuisz Pharma Llc, Richard C. Fuisz, and Joseph M. Fuisz, Case No. 11-CV-05236-PSG U.S. District Court, Northern District of California, San Jose Division

- Industrial Espionage/Patent Infringement
- Consulted by plaintiff
- Linguistic issue: whether a patent idea was illegally obtained and plagiaristically copied
- Settled

2012 Apple, Inc. v. Amazon.Com, Inc., Case No. CV 11-01327 PJH

- Trademark
- Consulted by plaintiff
- Linguistic issue: linguistic significance of trademark
- Settled

2011 Deepak Kalpoe and Satish Kalpoe v Phillip C. McGraw; CBS Television Distribution Group, et al. Case No. Bc 363201

- Defamation
- Consulted by plaintiff
- Linguistic issue: analysis of interview and television show
- Settled

2010 State of Arizona v. Roberto Sandoval CR2009-147989

- Sexual misconduct
- Consulted by defendant. Testified in Prosecution Interview
- Linguistic issue: linguistic pragmatic analysis of telephone call, to wit, whether defendant “confessed” during third-party undercover recorded “confrontation call”
- Acquitted

2010 National Western Life Insurance Company v. Western National Life Insurance Company and AGC Life Insurance Company Case No. A09CA711 LY Federal District Court, Austin, TX

- Trademark
- Consulted by defendants

- Linguistic issue: linguistic significance of trademarks
- Settled

2009 Lisa Lopez-Dusart v. Marriott Ownership Resorts, Inc., d/b/a Marriott Vacation Club International, and Stephen P. Weisz No. 05-24730 CA 25.

- Circuit court for the eleventh jud. circuit Miami-Dade
- Employee discrimination
- Consulted by plaintiff
- Linguistic issue: linguistic pragmatic analysis of communications
- Found for defendants; on appeal

2009 Royal Linen

- Breach of Contract
- Consulted by plaintiff
- Linguistic issue: authorship of letters
- Settled

2008 Best Western International v. James Furber et al. and Jim Dial v. Best Western Intl et al.

- Breach of Contract
- Consulted by plaintiff
- Linguistic issue: authorship of emails
- Settled

